



Edward Rudolph
Michael P. Clarke
Peter C. Amuso
Michael L. Barbiero*

SEVEN NESHAMINY INTERPLEX
SUITE 200
TREVOS, PA 19053
Phone 215-633-1890
Fax 215-633-1830

Montgomery County Office
350 Sentry Parkway East
Building 630, Suite 110A
Blue Bell, PA 19422
Phone 484-368-3808
Fax 215-633-1830

Lauren A. Gallagher*
Barbara R. Merlie
Noah Marlier
Sara Johnson Rothman
Alexander M. Glassman*
Nicole L. Feight
Valentina M. Nicolo
Aaron E. Kostyk

www.rudolphclarke.com
e-mail: akostyk@rudolphclarke.com

Delaware County Office
341 West State Street
Media, PA 19063
By appointment only
Phone 215-633-1890
Fax 215-633-1830

Chester County Office
200 Lincoln Avenue, #104
Phoenixville, PA 19460
By appointment only
Phone 215-633-1890
Fax 215-633-1830

*Member of PA & NJ Bars

OF COUNSEL:
Matthew D. Bradford
Joseph W. Pizzo

Please respond to: Trevoze

August 19, 2019

Sent Via Email Only
(mzeppos@pa.gov)

Appeals Officer Magdalene Zeppos, Esquire
Commonwealth of Pennsylvania
Office of Open Records
333 Market Street, 16th Floor
Harrisburg, PA 17101-2234

Re: Martinez v. Bensalem Township Police Department
Pennsylvania Office of Open Records Appeal; Docket #2019-1209

Dear Appeals Officer Zeppos:

Please accept this correspondence from Bensalem Township (hereinafter "Township") in regards to the Right to Know ("RTK") appeal filed by Mr. Freddy Martinez on July 22, 2019 and the Township's response thereto dated July 31, 2019. The Township has received notification of the stay in this matter and is writing to provide additional materials which were provided in response to questions from Appeal Officer Jordan Davis regarding OOR Dkt. AP 2019-1175.

August 19, 2019

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Enclosed with this correspondence is an August 8, 2019, correspondence from the Township to Appeal Officer Davis as well as a Media Policy and Supplemental Affidavit which was transmitted to the OOR on the same date for your reference and review.

Very truly yours,



Aaron E. Kostyk

Enclosure

cc: Mr. Freddy Martinez (via e-mail 76547-99068087@requests.muckrock.com)



BENSALEM TOWNSHIP POLICE DEPARTMENT

2400 Byberry Road • Bensalem, PA 19020 • (215) 633-3700 • Fax (215) 633-3656

Frederick A. Harran
Director of Public Safety



SUPPLEMENTAL AFFIDAVIT

I, Lieutenant Keith Christie, do hereby depose and state, sworn according to law as follows:

1. I serve as Lieutenant of the Bensalem Township Police Department.
2. On June 25, 2019, the Township received Mr. Jonathan Lai's Right to Know request which was denied on June 28, 2019. Mr. Lai subsequently appealed and the Township issued a response to the OOR on July 29, 2019. On August 6, 2019, Appeal Officer Davis with the OOR requested clarification on five points for the record via email to the parties and this Supplemental Affidavit is responsive to those requests in the order which they were presented.
3. The Township has provided to the OOR and I have reviewed the 2019 IACP Technology Conference Media Policy. As the presentation occurred on a day that the hall was closed to media it was a closed session. I am unable to provide a more detailed account of who is eligible to attend the IACP Technology Conference beyond the information available on the IACP website.
4. Motorola Solutions created the requested materials for the express purpose of marketing their security programs to law enforcement administration professionals at a professional conference. They were not created for purposes of public information regarding the materials.
5. The Department does not have a contract with Motorola Solutions or the IACP regarding the conference or presentation of the requested materials.
6. Deputy Director McVey was being compensated by the Township as part of his duties as a Township employee during his attendance at the conference.
7. The manner of security protocols at issue concern methods used to protect Township facilities. Specifically, the materials provide detailed visual descriptions of where these protective measures are deployed.
8. These security measures would be weakened by the disclosure of the requested materials in two ways. First, disclosure of the security measures at the school would allow persons intending to do harm to students and/or staff to circumvent the areas where these measures are deployed, rendering them ineffective. Second, the requested materials contain a more detailed description of security and response measures which would similarly allow someone who intends to do harm to circumvent the early warning systems.

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Frederick A. Harran
Director of Public Safety



I verify that the statements made in the foregoing Affidavit are true and correct to the best of my information, knowledge and belief. I understand that false statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

LT. Keith Christie #22070

Lieutenant Keith Christie #22070

Dated: 8/8/19

Sworn to and subscribed before
me this 8th day of August, 2019.

Kendall L. Johnson
Notary Public

My Commission Expires: 9/27/2022

Commonwealth of Pennsylvania - Notary Seal
Kendall L. Johnson, Notary Public
Bucks County
My commission expires September 27, 2022
Commission number 1258144
Member, Pennsylvania Association of Notaries

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Media Policy

2019 IACP Technology Conference

44 Canal Center Plaza, Suite 200 | Alexandria, VA 22314, USA | 703.836.6767 or 1.800.THEIACP | www.theIACP.org



OVERVIEW: The IACP invites qualified members of the media to attend the 2019 IACP Technology Conference, and to apply for conference credentials. Advanced registration is required. Media will not be allowed to register on-site at the conference. The 2019 IACP Technology Conference is open to qualified attendees only, and the IACP reserves the right to refuse admission to any members of the media.

1. PERMITTED AND RESTRICTED AREAS

- The exposition hall will be CLOSED to the media on Monday, May 20, 2019.
- The exposition hall will be OPEN to media on Tuesday, May 21, 2018 from 10:00 a.m. – 5:00 p.m. and Wednesday, May 22, 2019 from 9:00 a.m. – 1:00 p.m.
- The Opening Ceremony and Plenaries will be OPEN to the media.
- All workshop educational sessions, LEIT Business Meeting, and other scheduled meetings at the 2019 IACP Technology Conference are CLOSED to the media.
- Sessions that require a ticket are CLOSED to registered media; such as Casino Night.

2. PHOTOGRAPHY, VIDEOTAPING, AND AUDIO RECORDING

Registered media may:

- Photograph, videotape, or audio record any Official IACP Press Conference.
- Still photography on the exposition hall floor is permitted. Audio or video recording is permitted for the purpose of interviewing a vendor on the exposition floor or recording b-roll footage. When filming on the exposition floor, media cannot block the aisles or film close enough to record distinct conversations between vendors and members.
- Unscheduled/"Man on the Street" Interviews with conference attendees are prohibited.

3. ELIGIBLE MEDIA

Only credentialed members of the media can register for the complimentary Press Pass. Press Passes may be issued to bona fide law enforcement news gathering personnel employed by accredited media and law enforcement trade publications – reporters, editors, photographers, camera persons and sound persons. Media from magazines, newspapers or newsletters that are published on a quarterly basis (at minimum) are eligible, as are media from accredited wire services, and licensed radio and television broadcast stations.

Freelance writers and photographers who wish to apply for IACP media credentials must submit a request on the official letterhead of a legitimate news agency, signed by the editor or station manager, stating that the freelancer has a formal or regular relationship with the organization and stating the purpose of their attendance at the conference. Freelance journalists must also submit copies of three bylined, published criminal justice related articles, and a copy of the publication.

Representatives from online trade media and digital media (including blogs) must have appropriate media credentials (i.e., a letter of assignment and/or identification from a recognized news organization, as well as three bylined, published criminal justice related articles). Bloggers will be reviewed on a case-by-case basis and must cover industry-related content on a regular basis. Bloggers

wishing to receive press credentials must provide the URL of their blog, be a full time, professional blogger, and have at least 10,000 unique visits per month. Self-promoting blogs, and those that aggregate third-party content, will not be considered. Blog content must be original and updated at least 4 times a week.

Documentary film crews and video production companies must submit a written request in advance of the annual meeting no less than three weeks prior to the meeting requesting access. The submission should include information about the company, the purpose of attending the conference, a synopsis of the film/video/documentary, and information on the identity of supporters of the project.

Companies or organizations producing publications, videos, and/or other electronic media intended for internal use, marketing, advertising, financial analysis, or public relations purposes may not register as media. Sales, advertising, marketing and public relations personnel may not register as media.

The IACP reserves the right to require additional credentials from any member of the media wishing to attend and cover the conference.

4. NON-ELIGIBLE MEDIA

Media from non-law enforcement related publications, freelancers and others who do not meet the requirements stated under "Eligible Media" are non-eligible. The IACP reserves the right to refuse admission to any members of the media who do not meet the qualifications stated in this policy.

5. PHOTOGRAPH IDENTIFICATION REQUIRED

Photograph identification is required to pick up conference credentials on-site at the convention center. The news media can use their work identification card from their employer. Other acceptable government issued photo identification includes: passport, driver's license, state identification card, work identification from local, state, or federal government. Media representatives are required to wear their 2019 IACP Technology Conference credentials at all times during the event.

6. MEDIA REGISTRATION

Media are required to register in advance for the 2019 IACP Technology Conference. Registration requests should be made to techconference@theiacp.org. If approved, media credentials will be issued by the IACP, and will be available for pick up at the conference registration area. The IACP will not allow on-site media registration at the conference.

IACP reserves the right to alter the media policy at any time.